

Executive Order 56, Reporting Suspected Child Abuse or Neglect

Frequently Asked Questions regarding state laws and UW policies related to reporting requirements for employees and volunteers.

Section 1: Reporting requirements for UW employees and volunteers

Who at UW is required to report suspected child abuse or neglect?

All employees and volunteers at UW are required to report suspected child abuse or neglect. “Employees” includes full and part-time staff, faculty, temporary employees, and student employees. “Volunteers” includes anyone who is performing an unpaid service on behalf of UW.

What or who is a “mandated reporter”?

A mandated reporter is anyone who is required by law or policy to report suspected child abuse or neglect.

When is a UW employee ‘on duty’ as a mandated reporter?

UW employees are required by Washington State laws to report suspected child abuse or neglect in all circumstances, whether they are in the capacity of their duties at UW or in any other capacity as a private citizen.

When is a UW volunteer ‘on duty’ as a mandated reporter?

UW volunteers are expected to report suspected child abuse or neglect they become aware of while they are functioning in their official volunteer capacity. Because volunteer tenures are varied and sometimes short-term or sporadic, it is not expected that volunteers serve as mandated reporters when they are not serving in their UW volunteer duties. That said, any person is allowed and encouraged to report any abuse or neglect that they witness.

I work at Harborview or UWMC and they have their own protocols for mandated reporters. Which policies do I follow?

Employees of UW Medicine, including HMC, UWMC, and other clinics or affiliates should follow the specific mandated reporting protocols outlined by UW Medicine.

Are minor (under age 18) volunteers and employees also mandated reporters?

Yes, if a minor is serving as an employee or volunteer, they are required to report any suspected abuse or neglect. A supervisor may choose to provide support and guidance to them, assisting them with reporting or with other aspects of the responsibility.

Am I required to report abuse disclosed by someone currently over age 18 years of age that occurred when that person was a minor, i.e., historical abuse?

Historical abuse disclosed by an adult (18 years or over) does not require making a report. However, if there is a concern that a minor may currently be experiencing abuse by the same person, a report must be made.

Can I require my volunteers or employees to notify me prior to making a report to DSHS/Child Protective Services (CPS) or the police?

Programs or supervisors may request that an employee or volunteer notify them prior to making a report to CPS or the police, as long as it does not delay the 48-hour timeframe for reporting suspected abuse or neglect. In addition, the employee or volunteer may not be prohibited by anyone in the institution from reporting anything they feel constitutes 'reasonable cause' to believe abuse has occurred.

What are the consequences for failing to make a report?

A mandated reporter is legally responsible for making reports- a failure to make a report constitutes a gross misdemeanor. The University may also be institutionally liable for impeding the reporting process. In the case of Penn State University, the institution was negligent and incurred significant penalties for not communicating information about abuse committed by Assistant Football Coach Jerry Sandusky to state and local authorities. Several top leaders, including the president, were also found to be liable of civil and criminal offenses.

A disclosure or concern about abuse occurred while we were travelling outside of Washington State. What do we do?

Your mandated reporting duties require you to abide by Washington State laws and UW policy, regardless of your location. Contact CPS at 1-866-End-HARM (363-4276) which is available 24/7 to take phone calls. If the abuse occurs during the trip, it is important to immediately take measures to ensure the safety of the minor and other minors in the group. Remember, a report to SafeCampus is also necessary if the abuse occurred while participating in a UW program.

Section 2: Information constituting reasonable cause to report suspected child abuse or neglect

Am I required to make a report if I receive a written disclosure of abuse, for example in an essay or application from a current or prospective student?

Yes. Disclosures may come in any form, including written, oral, or through observation. The same criteria apply for reporting: if there is 'reasonable cause' to believe that abuse or neglect occurred, or if you believe someone is in imminent danger of experiencing abuse.

Should I investigate and/or question a minor regarding a vague disclosure about abuse in order to have enough information to report to CPS or law enforcement?

Mandated reporters are not expected to be investigators; that role should be left to the professionals, e.g. the police or CPS. Mandated reporters are simply encouraged to report what they have learned. If a minor discloses information to you, you may gently ask them to share as much as they feel comfortable, using non-leading questions (good examples are 'and then what happened?' or 'is there anything else you think I should know?'). If you suspect child abuse or neglect has occurred, contact CPS or the police. CPS or the police will determine whether or not to pursue an investigation.

What if I don't know if someone is a minor and they disclose abuse to me?

In a university setting, we generally operate on an assumption that the vast majority of individuals we are interacting with are adults. If you have reason to believe, but are unsure, that an individual is a

minor, you should attempt to confirm your suspicion. If you are unable to confirm age but suspect the person may be under age 18, you should report what you learned.

I am concerned about breaking the trust of the minor I work with. How do I preserve my relationship with them and still abide by my mandated reporter duties?

When it comes to minors, there are limits to confidentiality. As a mandated reporter, you are required to report information you learn about abuse or neglect, even if a minor asks you not to tell anyone. To avoid a perception of breaking trust, it is important to be upfront at the beginning with minors about your mandated reporting requirements. You may choose to use an explanation, such as, “There are laws in our community that give special protection to people under the age of 18. It’s important for you to know that if I hear about or suspect abuse that may be happening to someone under the age of 18, I am required by law to report it. There are agencies that can help keep you safe in ways that I cannot, and it’s important that you get the support you deserve.”

After making a report, there are additional ways to look out for the best interests of the minor in a potential situation of abuse, such as:

- Referring them to an advocate or counselor who can provide support with safety planning, coping and managing stress.
- Be available to the minor while they are participating in your program to help them deal with moments of stress or anxiety.

Section 3: Steps to making a report

Why am I given a choice to call either the police or CPS?

Both agencies field reports of abuse or neglect 24 hours a day 7 days a week, and calling either the police or CPS will fulfill your responsibility as a mandated reporter. Information is shared between agencies as necessary. The primary role of CPS is to investigate household-related abuse and neglect cases, e.g., abuse within a family unit. The police primarily investigates criminal activity. Sexual abuse, abandonment, and certain other forms of abuse may constitute a crime.

There are three options for reporting: CPS, the police and SafeCampus. Which do I call in what circumstances?

In all cases where you suspect child abuse or neglect you must call either CPS or the police.

In situations involving a UW program, employee, volunteer or facility you must additionally call SafeCampus.

For any situation requiring immediate intervention, call 911.

Section 4: Concerns or reports of employee or other volunteer misconduct

What if I suspect someone who works at UW has committed child abuse?

If you suspect that child abuse is occurring, or has already occurred, you must make a report to CPS or the police. If the abuse may have occurred in a UW program or on UW property, a second report must also be made to SafeCampus. You will provide virtually the same information in both reports, but there may be additional questions from SafeCampus regarding the University affiliation of the person who committed suspected abuse.

I witnessed something inappropriate between a UW staff member and a minor, but am not sure whether it constitutes abuse. What should I do?

Immediately take action. Refer to [EO 56](#) and the CPS handbook, [Protecting the Abused or Neglected Child](#), for definitions of abuse. You may also contact the [Office for Youth Programs Development and Support](#) to consult on what to do.

Finally, when in doubt contact CPS or the police and talk through the situation. They will let you know whether your information is enough to prompt further investigation. Remember, if suspected abuse occurs in a UW program or on UW property, there is a two-step reporting process. After contacting CPS or the police, you must also contact SafeCampus to make an internal report.

Section 5: Concerns or reports of UW student misconduct with minors

What if I suspect a UW student has committed child abuse?

If you become aware of an allegation of child abuse committed by a UW student, follow the [policy](#) as stated for situations involving a UW program or facility, i.e. [two-step reporting](#).

Additionally, students are required to follow the [Student Conduct Code](#). Contact the Community Standards & Student Conduct Office at 206-685-6194 or cssc@uw.edu to report the incident.

Section 6: Responding to suspected abuse of older youth (ages 16-17)

A 16-year-old reported to me that she was sexually assaulted by her boyfriend, who is also 16 years old. She can legally consent to sexual activity, so does this mean I shouldn't report the abuse? She asked me not to say anything about it.

Although 16 is the age of consent in Washington State, this does not preclude a report if abuse occurred, even by a peer. The 16-year-old is still a minor, sexual assault is a crime and fits the definition of abuse, and so we are legally required to report crimes/abuse of any minor. Consider providing context to the minor that explains why you must make a report, and where they can go for further support. Ex: "There are laws in our community that give special protection to people under the age of 18. It's important for you to know that if I hear about or suspect abuse that may be happening to someone under the age of 18, I am required by law to report it. There are agencies that can help keep you safe in ways that I cannot, and it's important that you get the support you deserve."

Should I tell an older teen that I am going to make a report?

This is a case-by-case decision. You are not legally required to tell them that you will make a report. You may choose to consider what you know about the youth, and whether telling them prior to making a report may help or hinder their healing process. Some teens benefit from being a part of the process of making a report. Others may feel betrayed, whether you let them know ahead of time or not. Consider the ways you can provide additional emotional support to the teen during this difficult and potentially traumatizing process. Referrals to a victim advocate or counseling services are examples of useful resources for teens experiencing abuse.

Do signs of teen dating/relationship violence require a report of abuse?

Dating violence may include behaviors – such as control, manipulation, and isolation, to name a few – that may not fit the legal definition of abuse, and these behaviors in and of themselves don't constitute abuse. However, physical, sexual or extreme emotional abuse do fit the criteria for making a report. Refer to definitions of abuse in [EO 56](#) or the [CPS handbook](#).

An older youth mentioned to me that, growing up, they were abused by a close family member. They say that CPS was called and dealt with the situation at the time. There are younger siblings in the home today, and I am not sure if they are safe or not. Does this require a report?

If there is any chance that a minor may currently be experiencing abuse, a report must be made. Also, you should not to rely solely on another person's account of prior CPS involvement. If you suspect abuse against again child, it is important to contact CPS yourself and verify this information. Remember, you do not need to have proof. Simply report what you know and are concerned about, and allow the experts to determine what next steps to take.

A 17-year-old mentions that they are having a sexual relationship with their TA. The youth feels that their relationship is consensual, and they are also above the age of consent (16 years old). Is there a problem with this?

In this case, possibly yes. Age differences, or types of relationships dictate whether a relationship is illegal. The age of consent is 16 years old. However, people who are in supervisory positions of youth may be committing a crime of sexual assault if they are having sexual relations with them, even if youth have reached the age of consent. [This resource](#) published by the [Harborview Center for Sexual Assault and Traumatic Stress](#) offers more details on how age or positional differences can constitute a crime of sexual assault. It is important to make a report in a case where there is the potential that a teen may be in this situation.

Section 7: Additional Resources and Information

What if I want to talk to someone about my concerns, or have questions about this policy? Who can I call?

The [Office for Youth Programs Development and Support](#) is available to talk with you about this policy, answer questions and help you with a situation you are concerned about. Call 206-616-5153 with any questions you may have. Note that this is office is only available during regular business hours.

Additional Information online

- DSHS Child Protective Services addresses many common questions in the resource, [CPS Handbook: Protecting the Abused & Neglected Child](#). Please review this handbook for further information on child abuse and neglect definitions, and general reporting requirements.
- Questions not addressed in either of these documents may be sent to cshelton@uw.edu with the [Office for Youth Programs Development and Support](#).
- Other helpful links:
 - [Executive Order 56, Reporting Suspected Child Abuse or Neglect](#)
 - [Required Training: Reporting Suspected Child Abuse or Neglect](#)
 - [Student Conduct Code](#)
 - [UWPD Victim Advocacy](#) (for employees and community members)
 - [Health and Wellness Student Advocate](#) (for students)

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